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PTO/SB/21 (08-00)

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|--|--|------------------------|-----------------------|
| <b>TRANSMITTAL FORM</b><br><i>(to be used for all correspondence after initial filing)</i> |  | Application Number     | 09/734,273            |
|  |  | Filing Date            | December 11, 2000     |
|  |  | First Named Inventor   | Thomas C. Harrop      |
|  |  | Group Art Unit         | 2152                  |
|  |  | Examiner Name          | Not Yet Assigned      |
| Total Number of Pages in This Submission   |  | Attorney Docket Number | 50671-P018US-10013652 |

**ENCLOSURES (check all that apply)**

|   |   |   |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers<br><i>(for an Application)</i><br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group<br><i>(Appeal Notice, Brief, Reply Brief)</i><br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s)<br><i>(please identify below)</i> |
| Remarks   |   |   |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|                         |   |
|-------------------------|---|
| Firm or Individual Name | FULBRIGHT & JAWORSKI L.L.P.<br>Jody C. Bishop |
| Signature               |   |
| Date                    | July 12, 2001                                 |

**Transmittal**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: July 12, 2001 Signature: (Gail Miller)



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#2

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Thomas C. Harrop

Application No.: 09/734,273  
Filed: December 11, 2000  
Group Art Unit: 2152  
Examiner: Not Yet Assigned

For: SYSTEM AND METHOD FOR ADAPTIVE  
RESOURCE MANAGEMENT

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: July 12, 2001

Signature: Gail Miller  
(Gail Miller)

### INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Pursuant to 37 CFR 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned.

A copy of each reference on PTO/SB/08 is attached.

A concise explanation of relevance of the items listed on form PTO/SB/08 is:

not given

given for each listed item

given for only non-English language listed items

in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references



Application No. 09/734,273

2 Docket No. DO-050671/P018US/10013652

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2380, under Order No. DO-050671/P018US/10013652. A duplicate copy of this paper is enclosed.

Dated: July 12, 2001

Respectfully submitted,

By   
Jody C. Bishop

Registration No.: 44,034  
FULBRIGHT & JAWORSKI L.L.P.  
2200 Ross Avenue  
Suite 2800  
Dallas, Texas 75201  
(214) 855-8000  
Attorneys for Applicant